

# Proposed Chapter 153 – Zoning Code Amendments

## Definitions and Community Commercial District

### Business Training

#### § 153.002 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning, as determined by the Director.

(A) *Uses definitions.*

(5) *Uses definitions - E*

(a) **EATING & DRINKING.** A facility that prepares or serves food or beverages directly to the public for on- or off-premise consumption. This use includes but is not limited to sit down or take-out restaurants, cafes or coffee shops, ice cream parlors, and may also include uses such as taverns, brewpubs, or wine bars.

(b) **EATING & DRINKING (ACCESSORY).** Eating & drinking when accessory to a principal use of the property, and when the facilities are designed and intended for use primarily by residents or occupants of the principal use of the property.

(c) **EDUCATIONAL FACILITY.** A facility offering classes, training courses, or skill development to the public, **employees** or to members of an organization. This use includes but is not limited to vocational, business, or technical schools, training centers, colleges, and universities, but does not include an elementary, middle, or high school.

(d) **ELEMENTARY OR MIDDLE SCHOOL.** A facility providing education to students in kindergarten through eighth grades using a curriculum recognized by the State of Ohio, and including related assembly, sports, and activity areas, but not including facilities regularly used for housing or sleeping of students.

(e) **ENTERTAINMENT/RECREATION, INDOOR.** A facility or area providing opportunities for physical exercise, physical training or improvement of health for the general public or members of an organization. This use includes but is not limited to: theaters, bowling alleys, dance halls, game centers, gymnasiums, health clubs, exercise and fitness facilities, and climbing wall centers.

(f) **ESSENTIAL UTILITY SERVICES.** Facilities used to provide utility services to a building or property, including but not limited to water pipes, sewer pipes, electric lines and boxes, telecommunication lines or fiber optic equipment, gas regulator stations, and storm drainage pipes. This use does not include major utilities such as water or sewer treatment plants, electric generating plants, and other facilities that are primary rather than accessory uses of the sites on which they are located. Wireless communication facilities are also not included in this definition.

(g) **EXERCISE AND FITNESS.** A facility or area providing opportunities for exercise or fitness for the general public or members of an organization, including but not limited to health or exercise rooms and swimming pools, when accessory to a principal use of the property.

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#### **§ 153.028 COMMUNITY COMMERCIAL DISTRICT.**

(A) *Permitted use.* The following uses shall be permitted in the Community Commercial District:

(1) *Retail stores.* Retail stores primarily engaged in selling merchandise for personal or household consumption and rendering services incidental to the sale of the goods, including the buying or processing of goods for resale.

(a) *General merchandise.*

- 5251 Hardware stores
- 531 Department stores
- 532 Mail order houses
- 533 Limited price variety stores
- 539 Miscellaneous general merchandise stores

(b) *Food.*

- 541 Grocery stores
- 542 Meat and fish (sea food) markets
- 543 Fruit stores and vegetable markets
- 544 Candy, nut and confectionery stores
- 545 Dairy products stores
- 546 Retail bakeries
- 549 Miscellaneous food stores

(c) *Automobile sales.*

- 551 Motor vehicle dealers (new and used cars)
- 552 Motor vehicle dealers (used cars only)
- 553 Tire, battery and accessory dealers (without installations)
- 559 Miscellaneous aircraft, marine and automotive dealers

(d) *Building materials.*

- 521 Lumber and other building materials dealers
- 522 Heating and plumbing equipment dealers
- 524 Electrical supply stores

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525 Hardware and farm equipment

(e) *Apparel.*

561 Men's and boys' clothing and furnishings stores

562 Women's accessory and specialty stores

563 Women's ready-to-wear stores

564 Children's and infants' wear stores

565 Family clothing stores

566 Shoe stores

567 Custom tailors

568 Furriers and fur shops

569 Miscellaneous apparel and accessory stores

(f) *Home furnishings.*

571 Furniture, home furnishings and equipment stores

572 Household appliance stores

573 Radio, television and music stores

(g) *Food and lodging.* Food and lodging includes commercial establishments, and institutions engaged in furnishing lodging and meals on a fee basis.

581 Eating and drinking places

7013 Motels

702 Rooming and boarding houses

(h) *Miscellaneous retail.*

591 Drug stores and proprietary stores

592 Liquor stores

593 Antique stores and secondhand stores

594 Book and stationery stores

595 Sporting goods stores and bicycle shops

597 Jewelry stores

5992 Florists

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- 5993 Cigar stores and stands
- 5994 News dealers and news stands
- 5996 Camera and photographic supply stores
- 5997 Gift, novelty and souvenir shops
- 5998 Optical goods stores
- 5999 Miscellaneous retail stores, not elsewhere classified.

(2) *Administrative, Business and Professional Offices.* Administrative offices primarily engaged in general administration, supervision, purchasing, accounting and other management functions. Business offices carrying on no retail trade with the general public and having no stock of goods maintained for sale to customers. Professional offices engaged in providing tangible and intangible services to the general public, involving both persons and possessions.

(a) *Finance.*

- 602 Commercial and stock savings banks
- 603 Mutual savings banks
- 604 Trust companies not engaged in deposit banking
- 605 Establishments performing functions closely related to banking
- 612 Savings and loan associations
- 613 Agricultural credit institutions
- 614 Personal credit institutions
- 615 Business credit institutions
- 616 Loan correspondents and brokers
- 671 Holding companies
- 672 Investment companies
- 673 Trusts
- 679 Miscellaneous investing institutions

(b) *Insurance carriers.*

- 631 Life insurance
- 632 Accident and health insurance
- 633 Fire, marine and casualty insurance

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635 Surety insurance

636 Title insurance

639 Insurance carriers not elsewhere classified

(c) *Insurance agents.*

641 Insurance agents, brokers and service

(d) *Real estate.*

651 Real estate operators (except developers) and lessors

653 Agents, brokers and managers

654 Title abstract companies

655 Subdividers and developers

656 Operative builders

661 Combinations of real estate, insurance, loans, law offices

(e) *Business services.*

731 Advertising

733 Duplicating, addressing, blueprinting, photocopying, mailing, mailing list, and stenographic services

734 Services to dwellings and other buildings

739 Business services not elsewhere classified

**Educational Facility - Business Training**

(f) *Repair services.*

762 Electrical repair shops

763 Watch, clock and jewelry repair

764 Reupholstery and furniture repair

769 Miscellaneous repair shops and related services

(g) *Professional.*

801 Offices of physicians and surgeons

802 Offices of dentists and dental surgeons

803 Offices of osteopathic physicians

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804 Offices of chiropractors

807 Medical and dental laboratories

8099 Health and allied services not elsewhere classified

811 Legal services

891 Engineering and architectural services

893 Accounting, auditing and bookkeeping services

(3) *Personal and consumer services.* Personal services generally involving the care of the person or his personal effects. Consumer services generally involving the care and maintenance of tangible property or the provision of intangible services for personal consumption.

(a) *Personal.*

722 Photographic studios, including commercial photography

723 Beauty shops

724 Barber shops

725 Shoe repair shops, shoe shine parlors and hat cleaning shops

726 Funeral service

727 Pressing, alteration and garment repair

729 Miscellaneous personal services

(b) *Business.*

731 Advertising

732 Consumer credit reporting agencies, mercantile reporting agencies, and adjustment and collecting agencies

733 Duplicating, addressing, blueprinting, photocopying, mailing, mailing list and stenographic services

735 News syndicates

736 Private employment

739 Business services not elsewhere classified (except 7391 - research, development and testing laboratories (see 1159.02(c)(1)))

(c) *Fitness and recreational sports centers.*

Physical fitness centers

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Exercise centers

Health club facilities

Recreational sports club facilities

Gymnasiums

In addition to all other applicable development standards, the facility providing fitness and recreational sports shall be limited to less than 15,000 square feet of gross floor area.

(d) Pet care (except veterinary and kennel) services.

Pet grooming services

Pet sitting services

Pet training services

The facility providing pet care services shall not include an outdoor recreation area and shall not be located less than 500 feet from any residential district or use.

In reviewing the conditional use request, the Planning and Zoning Commission may reduce the minimum distance from any residential district or use.

(4) *Sexually oriented business establishment.* A commercial establishment including adult cabaret, adult store, or adult theater primarily engaged in persons who appear nude/semi-nude, live performances, films or other visual representations, adult booths, or sale or display of adult material.

(a) In addition to all other applicable development standards, no person shall operate, locate, or permit the location of a sexually oriented business establishment within 750 feet (as measured from property line to property line) of any residential use or district, school, preschool, daycare, place of worship, park, library, federal, state, county, township or city building, cemetery, or other civic use or public use (within the City of Dublin or other municipality).

(b) No person shall operate, locate, or permit the location of a sexually oriented business within 750 feet (as measured from property line to property line) of another sexually oriented business establishment.

(Ord. 72-99, passed 7-19-99; Am. Ord. 68-99, passed 9-5-00)

(B) *Conditional use.* The following uses shall be allowed in the Community Commercial District, subject to approval in accordance with § [153.236](#).

(1) *Auto-oriented commercial facilities or outdoor service facilities.* Auto-oriented service facilities or outdoor service facility developed independently or in association with a permitted use.

(2) *Residential.* Living quarters as an integral part of a permitted use structure.

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(3) *Consumer services.* Consumer services generally involving the care and maintenance of tangible property or the provision of intangible services for personal consumption.

(a) *Arts and Recreation.*

7831 Motion picture theaters

7911 Dance halls, studios and schools

7921 Theatrical producers, except motion pictures, bands, orchestras and entertainers (theater)

7931 Bowling, billiards and pool

7944 Swimming pools

7945 Skating rinks

Fitness and recreational sports centers of 15,000 square feet or more of gross floor area, including:

Physical fitness centers

Exercise centers

Health club facilities

Recreational sports club facilities

Gymnasiums

(b) *Educational*

Day care facilities

Tutoring services

Mechanical or electrically operated amusement devices as defined in § [112.15](#) may be operated in connection with the recreation uses listed herein subject to the provisions of §§ [112.15](#) et seq.

(c) *Automotive.*

751 Automotive rentals, without drivers

(4) *Offices of veterinarians and animal hospitals.*

0722 Offices of veterinarians and animal hospitals

(5) *Large format retail.* Any retail or wholesale use of 20,000 square feet or more of gross floor area.

(6) *Wireless communications facilities* as conditional uses in all applicable districts.



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(7) *Park and rides.* An off-street parking facility, publicly owned and operated, designed or intended to provide peripheral collection and parking of vehicles to accommodate commuter traffic into or out of the community, including a maximum of one structure per use, such as bus passenger shelters, terminals and transfer stations. Any such structure may not exceed 50 square feet for bus shelters and 500 square feet for terminals and transfer stations. In addition to all other applicable development standards, the following standards shall also apply to park and ride terminals and transfer stations:

(a) The design and architecture of shelter, terminals and transfer stations must be harmonious with the architectural character of surrounding areas.

(C) *Development standards.* In addition to the provisions of §§ [153.070](#) through [153.076](#), the following standards for arrangement and development of land and buildings are required in the Community Commercial District.

(1) *Intensity of use.* No minimum lot size is required; however, lot size shall be adequate to provide the yard space required by these development standards and the following provisions:

(2) *Lot width.* No minimum lot width is required; however, all lots shall abut a street and have adequate width to provide the yard space required by these development standards.

(3) *Side yard.* A side yard shall be required adjacent to a residential zoning district or planned residential zoning district as listed in § [153.016](#). These required side yards shall be not less than one-fourth the sum of the height and depth of the building, but in no case shall be less than 15 feet.

(4) *Rear yard.* A rear yard shall be required adjacent to a residential zoning district or a planned residential zoning district as listed in § [153.016](#). These required rear yards shall be not less than one-fourth the sum of the height and width of the building, except when adjacent to a dedicated alley of not less than 20 feet. A use to be serviced from the rear shall have a service court, alleyway or combination thereof not less than 40 feet wide.

('80 Code, §§ 1163.01- 1163.03) (Ord. 21-70, passed 7-13-70; Am. Ord. 112-95, passed 2-19-97; Am. Ord. 147-97, passed 12-15-97; Am. Ord. 88-98, passed 11-2-98; Am. Ord. 68-99, passed 9-5-00; Am. Ord. 57-07, passed 9-4-07; Am. Ord. 96-07, passed 1-22-08; Am. Ord. 74-08, passed 4-20-09) Penalty, see § [153.999](#)